

**RESOLUTION NO. 74788**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AIRSPACE RENTAL AGREEMENT WITH THE STATE OF CALIFORNIA FOR USE OF THE PUBLIC PARKING LOT LOCATED AT WOZ WAY AND HIGHWAY 87**

**WHEREAS**, since the beginning of July 2000, the City of San José (“City”) and the California Department of Transportation (“Caltrans”) have entered into a six month short-term renewal of an airspace rental agreement of the Woz Way and Highway 87 (“Woz/ 87”) parking lot; and

**WHEREAS**, the most recent six month short-term renewal agreement expired on June 30, 2008, and the City entered negotiations with Caltrans with the objective of entering into a longer term airspace rental agreement for the Woz/ 87 Lot; and

**WHEERAS**, the Woz/ 87 parking lot comprises an area of 3.3 acres and has 283 parking spaces and serves the patrons of Children’s Discovery Museum and visitors to the Convention Center events; and

**WHEREAS**, the City desires to negotiate and execute an airspace rental agreement with Caltrans for use of the Woz/ 87 parking lot for a five year term beginning March 1, 2009, in an amount not to exceed \$510,000;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is hereby authorized to negotiate and execute an airspace rental agreement with the State of California for use of the public parking lot located at Woz Way and Highway 87 with an initial term of five years and option to extend for another five year term.

ADOPTED this 10<sup>TH</sup> day of February, 2009, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA,  
LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: None.

ABSENT: CHIRCO.

DISQUALIFIED: None.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk